

BEFORE THE INSURANCE COMMISSIONER  
FOR THE STATE OF ARKANSAS

IN THE MATTER OF:

MARY FAITH COLLINS  
PETITIONER

A.I.D. NO. 2021- 44

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ORDER

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On this day, the matter of the insurance producer license application of Mrs. Mary Faith Collins ("Petitioner") came before Alan McClain, Arkansas Insurance Commissioner ("Commissioner"). A hearing was held on August 10, 2021, in the Hearing Room of the Arkansas Insurance Department ("Department") pursuant to the Amended Notice of Hearing dated August 2, 2021. The hearing was held before Chief Deputy Commissioner Russ Galbraith ("Hearing Officer") pursuant to his appointment by the Commissioner in accordance with Ark. Code Ann. § 23-61-103(e)(1). The petitioner, Mary Faith Collins appeared. The Department was represented by Gray Allen Turner, Associate Counsel.

FINDINGS OF FACT

1. Petitioner, a resident of Benton County, Arkansas, applied for an insurance producer license on June 17, 2021.
2. The Department's licensing division denied petitioner's application on June 23, 2021.

3. Petitioner timely requested a hearing in writing as to the license denial on July 5, 2021.

4. In 2015, the petitioner was arrested and charged with sexual abuse, a felony defined by Ark. Code Ann. § 5-14-124(a). She pled guilty to the charge in Benton County circuit court. The petitioner was sentenced to 96 months of incarceration and a 144-month suspended sentence.

5. The applicant was released from prison in 2019. She has not committed any other crimes since being released and has followed all rules of her parole.

6. After she was released, the applicant worked at a hotel. While employed at the hotel, she was given positions of trust and was a model employee. The applicant now works for an insurance agency. She is an excellent employee, and the agency owner would like her to obtain her insurance license so that she may sell policies in addition to servicing accounts. Although most of the agency's sales occur at the office or on the phone, there are some occasions an agent may complete a sale at a customer's home.

### CONCLUSIONS OF LAW

1. The Commissioner of Insurance has jurisdiction pursuant to the Arkansas Insurance Code, specifically Ark. Code Ann. §§ 23-60-101, *et seq.*

2. To be licensed as an insurance producer, § 23-64-506(c) requires that an applicant must be deemed by the commissioner "to be competent, trustworthy, financially responsible, and of good personal and business reputation." The petitioner has presented sufficient evidence to meet these requirements.

3. An insurance producer license application may be denied where the applicant has been convicted of a felony as authorized by § 23-64-512(a)(6). Considering the totality of the evidence presented, the petitioner's license should be granted on a probationary statute.

#### RECOMMENDATION OF THE HEARING OFFICER

WHEREFORE, upon consideration of the evidence of record and the foregoing Findings of Fact and Conclusions of Law, the Hearing officer recommends the following:

That the Arkansas insurance producer license application of the petitioner be granted on a probationary status until such time as she completes her parole conditions. While her license is on probation, she may only conduct the business of insurance while in an insurance agency office or other commercial settings.



Russ Galbraith  
Chief Deputy Commissioner

CERTIFICATION

I, Alan McClain, Insurance Commissioner for the State of Arkansas, do hereby certify that the above Findings of Fact, Conclusions of Law, and Recommendation of the Hearing Officer were made by and under my authority and supervision by Russ Galbraith, Chief Deputy Commissioner and Hearing Officer in this proceeding. I hereby adopt the Hearing Officer's Findings of Fact, Conclusions of Law and Recommendation in full, as set forth herein.

THEREFORE, it is hereby ORDERED that the Arkansas insurance producer license application of Mrs. Mary Faith Collins is granted with the following conditions: (1) The license shall be considered on probation until she completes the conditions of her parole. (2) While her license is on probation, she may only conduct the business of insurance while in an insurance agency office or other commercial settings.

IT IS SO ORDERED THIS 21<sup>st</sup> DAY OF September, 2021.

  
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ALAN MCCLAIN  
INSURANCE COMMISSIONER  
STATE OF ARKANSAS